

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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LIFE ROOT, LLC,

Plaintiff,

v.

ALTERAEX, LLC, et al.,

Defendants.

Case No. 2:25-cv-01325-MMD-MDC

ORDER

Plaintiff Life Root, LLC ("Life Root"), by and through its counsel at the law firm of Dickinson Wright PLLC, has moved for a *ex parte* emergency temporary restraining order (ECF No. 12) and preliminary injunction (ECF No. 13) against Alteraex, LLC (f/k/a Kanna21, LLC) ("Kanna21"), Pure Balance Ventures, LLC d/b/a Pure7 ("Pure Balance"), and Mark Willis ("Willis") (collectively, "Defendants") to prevent willful trademark infringement, false designation of origin, and unfair competition at the CHAMPS trade show scheduled to occur at the Las Vegas Convention Center on July 23-26, 2025 ("CHAMPS"); and requiring third-party domain name registrars GoDaddy.com, LLC ("GoDaddy") and Squarespace Domains LLC ("Squarespace") to place the and domain names on serverHold and serverTransferProhibited1 and disable the nameservers for the pendency of the litigation; and requiring the registrar and/or privacy service to unmask and reveal all contact information provided by Defendants to register the and domain names.

The Court, having duly considered Life Root's Complaint, renewed motion for temporary restraining order, and the declaration and exhibits submitted therewith, hereby makes the following findings and conclusions. The Court grants Plaintiff's renewed motion for temporary restraining order (ECF No. 12) in part, as relates to the CHAMPS show, as described below.

1 1. Life Root alleges Defendants' use of the mark PURÉ7 ("Infringing Mark")
2 infringes Life Root's common law rights and Nevada state trademark registrations for
3 PURÉ7 (NV Reg. No. T202507115889075) issued on July 3, 2025, in Class 101 for
4 "[o]nline store services featuring herbal supplements containing kratom in various forms
5 including tablet, powder and liquid; providing website featuring consumer information
6 about products containing kratom"; and PURÉ7 (NV Reg. No. T202507115889095)
7 issued on July 3, 2025, in Class 18 for "[h]erbal supplements containing kratom in various
8 forms, including tablet, powder and liquid" (the "PURÉ7 Marks").

9 2. Life Root alleges Defendants' actions include using the Infringing Mark to
10 advertise, offer for sale, and sell Defendants' fraudulent goods which causes, or is
11 reasonably likely to cause, consumers and potential customers to believe erroneously
12 that Defendants' fraudulent goods are put out by and/or sponsored or associated with
13 goods originating from Life Root when, in fact, Defendants' fraudulent goods are not.

14 3. Life Root provided the Court with sworn testimony confirming at least one
15 instance of actual confusion, namely, that while setting up Life Root's booth at a Champs
16 trade show, Print247 was mistakenly directed to Defendants' booth.

17 4. Life Root alleges Defendants are currently setting up their booth at the
18 CHAMPS trade show in Las Vegas, including use of the Infringing Mark and the booth
19 designs that Life Root designed for the trade show utilizing the PURÉ7 brand and other
20 design images they obtained from the Life Root website without permission or
21 authorization.

22 5. Life Root is likely to succeed on the merits of its trademark infringement and
23 unfair competition claims under both federal and Nevada state law. Life Root is likely to
24 succeed in showing Defendants are intentionally using a mark that is identical to the
25 PURÉ7 Marks and confusion is inevitable.

26 6. Absent a temporary restraining order, Defendants' advertisement, offer for
27 sale, and sale of its infringing goods using the Infringing Mark at the CHAMPS show will
28 result in immediate and irreparable injury to Life Root in the form of damage to Life Root's

1 goodwill and reputation, loss of control over the PURÉ7 Marks, and impairment to the
2 distinctiveness of the PURÉ7 Marks, which is further supported by the evidence of actual
3 confusion proffered by Life Root.

4 7. The harm to Life Root in denying the requested temporary restraining order
5 outweighs the harm to any legitimate interests of Defendants from granting such relief.

6 8. The public interest weighs in favor of granting Life Root the requested
7 temporary restraining order.

8 It is therefore ordered that, pending a decision by the Court on Life Root's
9 application for a preliminary injunction, Plaintiff's emergency renewed motion for
10 temporary restraining order (ECF No. 12) is granted with regard to the CHAMPS show as
11 described in this Order.

12 It is further ordered that Defendants and their employees, officers, directors,
13 agents, servants, employees, attorneys, successors, and assigns, and all other persons
14 acting in active concert or participation with Defendants, are hereby immediately,
15 temporarily restrained from infringing the PURÉ7 Marks. Specifically, Defendants are
16 hereby temporarily restrained from (1) using in commerce, including registering any
17 domain names containing, the Infringing Mark or PURÉ7 Marks, any website or
18 advertisement incorporating the Infringing Mark or PURÉ7 Marks, or any other
19 confusingly similar trademark to the PURÉ7 Marks; (2) displaying or using the Infringing
20 Mark, PURÉ7 Marks, or any other confusingly similar trademark to the PURÉ7 Marks, at
21 CHAMPS; (3) engaging in any other conduct which will cause, or is likely to cause,
22 confusion, mistake, deception, or misunderstanding as to the affiliation, connection,
23 association, origin, sponsorship, or approval of Defendants' fraudulent goods with Life
24 Root's goods provided under the PURÉ7 Marks; and (4) otherwise infringing upon the
25 PURÉ7 Marks, falsely or deceptively advertising, or unfairly competing with Life Root in
26 any manner whatsoever.

27 It is further ordered that that the CHAMPS show management shall immediately
28 remove any signage used by Defendants anywhere within the show, including at their

1 booth and in any other signage on property within the boundaries of the show, in violation
2 of this order, namely any use of the PURÉ7 Marks by anyone other than Plaintiff.

3 It is further ordered that Life Root shall deposit \$1000 with the Clerk of the Court
4 as security for this Order. To the extent Defendants believe that additional security is
5 necessary pursuant to Rule 65(c), Fed. R. Civ. P., Defendants shall file an application to
6 the Court and provide notice to counsel for Life Root.

7 It is further ordered that Plaintiff's earlier-filed motions for temporary restraining
8 order and preliminary injunction (ECF Nos. 3, 4) are denied as moot.

9 It is further ordered that the Court denies Plaintiff's request to address its
10 emergency renewed motion for preliminary injunction (ECF No. 13) *ex parte*. The Court
11 will issue a separate order setting a hearing on that motion.

12 It is further ordered that Plaintiff is directed to serve on Defendants a copy of (1)
13 the renewed motion for temporary restraining order (ECF No. 12); (2) the renewed motion
14 for preliminary injunction (ECF No. 13); and (3) this Order, by 5:00pm on July 24, 2025.
15 Plaintiff is further directed to file a notice of compliance with the Court by July 25, 2025.

16 DATED THIS 24th Day of July 2025.

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19 MIRANDA M. DU
20 UNITED STATES DISTRICT JUDGE
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